



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/322,457	05/28/1999	STEVE SPRINGMEYER	30581-8002	8030

7590 11/27/2001

MAURICE J PIRIO  
PERKINS COIE LLP  
1201 THIRD AVENUE  
SUITE 4800  
SEATTLE, WA 981013099

EXAMINER

FOLLANSBEE, JOHN A

ART UNIT	PAPER NUMBER
----------	--------------

2154

DATE MAILED: 11/27/2001

7

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/322,457

Applicant(s)

SPRINGMEYER ET AL.

Examiner

John Follansbee

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Art Unit: 2154

## Detailed Action

1. Claims 1-8 are presented for examination.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Matheny et al. (5,315,703) (hereinafter Matheny).

As per claim 1, Matheny clearly anticipates claim 1 (e.g. abstract and cols. 9-12).

4. Claims 1, 3 and 6 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Brodsky et al. (5,991,536) (hereinafter Brodsky).
5. As per claim 1, Brodsky clearly anticipates claim 1 (e.g. cols. 3-4).

Art Unit: 2154

6. As per claim 3, Brodsky clearly anticipates claim 3 (e.g. col. 5).
7. As per claim 6, Brodsky clearly anticipates claim 6 (e.g. cols. 5-6).
8. Claim 1 is rejected under 35 U.S.C. 102(e) as being clearly anticipated by Johnson et al. (5,925,108) (hereinafter Johnson) or Novik et al. (6,275,957) (hereinafter Novik) or Skinner et al. (6,085,198) (hereinafter Skinner) or Sondur et al. (6,282,568) (hereinafter Sondur) or Couturier et al. (6,073,184) (hereinafter Couturier) or Trower, II et al. (5,983,190) (hereinafter Trower).
9. As per claim 1, Johnson (e.g. abstract), Novik (e.g. abstract), Skinner (e.g. col. 12), Sondur (e.g. col. 7), Couturier (e.g. abstract) and Trower (e.g. col. 33) clearly anticipate claim 1.
10. Claim 1 is rejected under 35 U.S.C. 102(a) as being clearly anticipated by Sony, "The HAVI Specification", Version 1.0 beta, 11/19/98, pages 1-384 (hereinafter Sony).
11. As per claim 1, Sony (e.g. pages 36-37 and 103-119) clearly anticipates claim 1.
12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2154

13. Claims 2, 4-5 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brodsky et al. (5,991,536) (hereinafter Brodsky).

14. As per claim 2, Brodsky does not specifically show the use of retrieving the state of the property independently of receiving the notification. "Official Notice" is taken that both the concept and advantages of providing for having two separate signals instead of all in one is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include having two separate signals instead of all in one to Brodsky because it would provide for each receiving component to decide whether the notification associated with the transmitting component is necessary for the operation of the receiving component. Essentially, this filters out the unwanted/not needed changes without having to de-register.

15. As per claim 4, Brodsky does not specifically show the use of access rights to the registering of interests. "Official Notice" is taken that both the concept and advantages of providing for access rights to the registering of interests is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include access rights to the registering of interests to Brodsky because it would provide for supervised operation of the system. Basically allowing only the network administrators to be alerted when changes are made. This could be used to prevent hackers from modifying objects to gain access to the software and also viruses and furthermore, allow the employee use and access to the software/system to be monitored.

Art Unit: 2154

16. As per claim 5, Brodsky does not specifically show the use of ordering the receiving of the notifications with respect to the ordering of reception by the observers. "Official Notice" is taken that both the concept and advantages of providing for ordering the receiving of the notifications with respect to the ordering of reception by the observers is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include ordering the receiving of the notifications with respect to the ordering of reception by the observers to Brodsky because it would provide for proper synchronization of the notifications. Basically you wouldn't want the first observer to get the second notification before the last observer got the first notification. If this did happen synchronization of the system could not be maintained.

17. As per claims 7-8, they are rejected for similar reasons as stated above.

18. Claims 2, 4-5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (5,925,108) (hereinafter Johnson) or Novik et al. (6,275,957) (hereinafter Novik) or Skinner et al. (6,085,198) (hereinafter Skinner) or Sondur et al. (6,282,568) (hereinafter Sondur) or Couturier et al. (6,073,184) (hereinafter Courturier) or Trower, II et al. (5,983,190) (hereinafter Trower) or Matheny et al. (5,315,703) (hereinafter Matheny) or Sony, "The HAVI Specification", Version 1.0 beta, 11/19/98, pages 1-384 (hereinafter Sony).

Art Unit: 2154

19. As per claim 2, Johnson or Novik or Skinner or Sondur or Couturier or Trower or Matheny or Sony do not specifically show the use of retrieving the state of the property independently of receiving the notification. "Official Notice" is taken that both the concept and advantages of providing for having two separate signals instead of all in one is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include having two separate signals instead of all in one to Johnson or Novik or Skinner or Sondur or Couturier or Trower or Matheny or Sony because it would provide for each receiving component to decide whether the notification associated with the transmitting component is necessary for the operation of the receiving component. Essentially, this filters out the unwanted/not needed changes without having to de-register.

20. As per claim 4, Johnson or Novik or Skinner or Sondur or Couturier or Trower or Matheny or Sony do not specifically show the use of access rights to the registering of interests. "Official Notice" is taken that both the concept and advantages of providing for access rights to the registering of interests is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include access rights to the registering of interests to Johnson or Novik or Skinner or Sondur or Couturier or Trower or Matheny or Sony because it would provide for supervised operation of the system. Basically allowing only the network administrators to be alerted when changes are made. This could be used to prevent hackers from

Art Unit: 2154

modifying objects to gain access to the software and also viruses and furthermore, allow the employee use and access to the software/system to be monitored.

21. As per claim 5, Johnson or Novik or Skinner or Sondur or Couturier or Trower or Matheny or Sony do not specifically show the use of ordering the receiving of the notifications with respect to the ordering of reception by the observers. "Official Notice" is taken that both the concept and advantages of providing for ordering the receiving of the notifications with respect to the ordering of reception by the observers is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include ordering the receiving of the notifications with respect to the ordering of reception by the observers to Johnson or Novik or Skinner or Sondur or Couturier or Trower or Matheny or Sony because it would provide for proper synchronization of the notifications. Basically you wouldn't want the first observer to get the second notification before the last observer got the first notification. If this did happen synchronization of the system could not be maintained.

22. As per claim 7, it is rejected for similar reasons as stated above.

23. Claims 3, 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (5,925,108) (hereinafter Johnson) or Novik et al. (6,275,957) (hereinafter Novik) or Skinner et al. (6,085,198) (hereinafter Skinner) or Sondur et al. (6,282,568) (hereinafter Sondur) or



Art Unit: 2154

Couturier et al. (6,073,184) (hereinafter Couturier) or Trower, II et al. (5,983,190) (hereinafter Trower) or Matheny et al. (5,315,703) (hereinafter Matheny) or Sony, "The HAVI Specification", Version 1.0 beta, 11/19/98, pages 1-384 (hereinafter Sony) in view of Brodsky et al. (5,991,536) (hereinafter Brodsky).

24. As per claim 3, Johnson or Novik or Skinner or Sondur or Couturier or Trower or Matheny or Sony do not specifically show the use of un-registering the interest in the property. Brodsky shows the use of un-registering the interest in the property (e.g. col. 5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Brodsky with Johnson or Novik or Skinner or Sondur or Couturier or Trower or Matheny or Sony because it would provide for the system to limit the number of notifications received to not overburden the system.

25. As per claim 6, Johnson or Novik or Skinner or Sondur or Couturier or Trower or Matheny or Sony do not specifically show the use of receiving the notification in the same order as the events occur. Brodsky shows the use of receiving the notification in the same order as the events occur (e.g. cols. 5-6). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Brodsky with Johnson or Novik or Skinner or Sondur or Couturier or Trower or Matheny or Sony because it would provide for proper synchronization of the notifications.

Serial Number: 09/322,457

8

Art Unit: 2154

26. As per claim 8, it is rejected for similar reasons as stated above.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Follansbee whose telephone number is (703) 305-8498. The examiner can normally be reached on Monday-Friday from 7:30 AM to 6:00 PM.

The appropriate fax phone number for the organization where this application or proceeding is assigned is (703) 306-5404.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

John Follansbee

November 21, 2001.

  
JOHN A. FOLLANSBEE  
PRIMARY EXAMINER